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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/060,057	01/31/2002	Simon Pelly	1509-273	6577

7590

11/12/2004

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EXAMINER

HO, THE T

ART UNIT	PAPER NUMBER
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2126

DATE MAILED: 11/12/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/060,057

Applicant(s)

PELLEY ET AL.

Examiner

The Thanh Ho

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 31 January 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-11 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>11/19/02; 9/3/03</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This action is in response to the application filed 01/31/2002.
2. Claims 1-11 have been examined and are pending in the application.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hausauer U.S Patent No. 5,790,870.

As to claim 1, Hausauer teaches a method of operation of an SCSI enabled device (SCSI interface device 116 and its associated device driver, lines 44-46 column 7 and line 18 column 8, Fig. 3) in response to a parity error message (...when the master of an access becomes aware that a parity error has occurred on its transaction, it is required to inform the processor. The recommended route is for the master to inform its device driver of the error by generating an interrupt..., lines 42-46 column 7) coupled over an SCSI enabled bus (buses 194 and 196 connecting SCSI 116, Fig. 3), comprising:

determining whether said SCSI enabled device is in a data transfer state (...the parity error is being detected during the data transaction, however the device is allowed to continue the transaction..., lines 38-46 column 7).

Hausauer does not explicitly teach generating a response message to an initiator. However, Hausauer teaches (lines 42-46 column 7; lines 59-64 column 9) that after the processor receives the parity error message, it sends out a command to the device in which the previous transferred data needs to be retransmitted. Therefore one of ordinary skill in the art would conclude that the processor's command is a response message to an initiator since such command allows the data with parity error to be retransmitted.

As to claim 2, Hausauer as modified further teaches the data transfer operation will recommence from the start of the operation (the whole data is being retransmitted, lines 61-64 column 9).

As to claim 3, Hausauer teaches a method of operating an SCSI driver (SCSI interface device 116 and its associated device driver, lines 44-46 column 7 and line 18 column 8, Fig. 3), comprising:

carrying out a data transfer phase (data transfer, lines 33-34 column 7; data transaction, lines 59-60 column 7);

receiving a parity error message following said data transfer phase (...when the master of an access becomes aware that a parity error has occurred on its transaction, it is required to inform the processor. The recommended route is for the master to inform its device driver of the error by generating an interrupt..., lines 42-46 column 7).

Hausauer does not explicitly teach sending a restore data pointer message. However, Hausauer teaches (lines 42-46 column 7; lines 59-64 column 9) that after the processor receives the parity error message, it sends out a command in which certain software program needs to be reexecuted and the data needs to be retransmitted. Therefore one of ordinary skill in the art would conclude that the processor's command is a restore data pointer message since such command makes the software program to be restored to its original executing state and allows the data with parity error to be retransmitted.

As to claim 4, Hausauer as modified further teaches sending a message instructing recommencing the data transfer phrase after sending said restore data pointer message (the data is being retransmitted, lines 61-64 column 9).

As to claim 5, it is a computer device claim of claim 1. Therefore, it is rejected for the same reasons as claim 1 above.

As to claim 6, it is a computer device driver claim of claim 3. Therefore, it is rejected for the same reasons as claim 3 above. Hausauer as modified further teaches the processor being arranged for recognizing that a parity error message has occurred immediately after a data transfer phase (the processor is being informed of the parity error when it occurs during the data transaction, lines 42-46 column 7).

As to claim 7, it is a computer device driver claim of claim 4. Therefore, it is rejected for the same reasons as claim 4 above.

As to claim 8, it is a computer program of claim 1. Therefore, it is rejected for the same reasons as claim 1 above.

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As to claim 9, Hausauer as modified further teaches a CD-ROM (154, Fig. 1); a magnetic data storage medium (110 and 112, Fig. 1).

As to claim 10, it is a computer device claim of claim 1. Therefore, it is rejected for the same reasons as claim 1 above.

As to claim 11, it is a computer device driver claim of claim 6. Therefore, it is rejected for the same reasons as claim 6 above.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to The Thanh Ho whose telephone number is (571) 272-3762. A voice mail service is also available for this number. The examiner can normally be reached on Monday – Friday, 8:30 am – 5:00 pm.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

Any response to this action should be mailed to:

Commissioner for Patents

P.O Box 1450

Alexandria, VA 22313-1450

Or fax to:


- AFTER-FINAL faxes must be signed and sent to (703) 872 - 9306.
- OFFICAL faxes must be signed and sent to (703) 872 - 9306.

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- NON OFFICAL faxes should not be signed, please send to (571) 273 – 3762

TTH

November 3, 2004


MENG-AL T. AN
SUPERVISORY PATENT EXAMINER
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